

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD R. FLYNN, GENE DAISEY,)	
DOUGLAS J. ABBOTT, and CATHERINE)	CIVIL DIVISION
HOSICK, individually and on behalf of all others)	
similarly situated,)	CLASS ACTION
)	
Plaintiffs,)	Case No. 2:17-cv-04806-WB
)	
v.)	
)	
MANUFACTURERS AND TRADERS TRUST)	
COMPANY a/k/a M&T BANK,)	
)	
Defendant.)	
)	

**PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF CLASS SAMPLE DISCOVERY**

NOW COME Plaintiffs, by and through their counsel, who make the following Motion to Compel Production of Class Sample Discovery, stating as follows:

1. By Order dated January 31, 2019, the Court ordered the Defendant to produce certain documents for each sampled account within thirty (30) days of the sample account selection protocol being fixed.
2. The sample account selection protocol was fixed on February 1, 2021, and the accounts were selected on February 3, 2021.
3. The thirty-day deadline has passed, and to date Defendant has only produced 2 to 3 documents for each sample account.
4. At present, the discovery deadline for class sample class discovery is schedule to end on March 31, 2021. In light of the foregoing, an expedited briefing schedule for this discovery dispute is respectfully requested.

WHEREFORE, Plaintiffs' request that this Honorable Court enter an Order requiring Defendant to produce, within seven (7) days, the entire file for each sampled account as defined in paragraphs 3 and 6 of the Court's January 11, 2018 Order.

Respectfully submitted,
SHENKAN INJURY LAWYERS, LLC.
/s/ Richard Shenkan
Richard Shenkan
Attorney for Plaintiffs

CERTIFICATION OF GOOD FAITH

I certify that the parties have attempted to resolve their differences regarding this discovery dispute by way of numerous meet-and-confer conferences, e-mails, and letters. The parties have been unable to resolve their differences.

SHENKAN INJURY LAWYERS, LLC.
/s/ Richard Shenkan
Richard Shenkan

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to all counsel of record, each of whom subscribe to the Court's ECF system, as filed, on March 8, 2021.

SHENKAN INJURY LAWYERS, LLC.
/s/ Richard Shenkan
Richard Shenkan
Attorney for Plaintiffs